

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:
LINDA KAY EVANS,

Debtor.

Case No. 17-10246-TA13

DURAN INVESTMENTS, LLC'S
NOTICE OF OBJECTION TO CONFIRMATION

COMES NOW Secured Creditor Duran Investments, LLC ("Duran"), by and through undersigned counsel, and submits its Notice of Objection to Confirmation of the Debtor's proposed Chapter 13 plan. Duran filed a Proof of Claim on or about March 2, 2017, indicating that the total amount of the claim for pre-petition arrearages at the time the case was filed was \$14,571.34 as it relates to the property located at 2075 Winchester Drive, Bosque Farms, New Mexico 87068.

Duran objects to confirmation of the proposed plan based upon the following.

1. Debtor's proposed plan does not provide for curing the correct pre-petition arrearage amount of \$14,571.34.
2. Upon information and belief, Debtor has access to and/or control of additional funds and assets as a result of an inheritance, which is not accounted for in Debtor's Chapter 13 Petition or Plan.

WHEREFORE Secured Creditor Duran Investments, LLC, respectfully requests this honorable Court to deny confirmation and dismiss this case, or in the alternative, direct the Debtor to amend the Plan to conform to this objection.

DATED: March 2, 2017

YENSON, ALLEN, & WOSICK, P.C.

/s/ Joseph P. Turk

Joseph P. Turk

Attorneys for Secured Creditor Duran Investments, LLC

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing pleading was served by electronic mail or standard first-class mail on March 2, 2017, to: Linda Kay Evans, Debtor, at 2075 Winchester Drive, Bosque Farms, New Mexico 87068; Ron Holmes, Debtor's attorney, at 320 Gold Avenue SW, Suite 1111, Albuquerque, New Mexico, 87102; and Kelley Skehen, Trustee, 625 Silver Avenue SW, Suite 350, Albuquerque, New Mexico 87102.

/s/ Joseph P. Turk

Joseph P. Turk